

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL ACTION FILE NO: 1:14-CV-278

RYAN D. LITTLE, )  
Plaintiff, )  
 )  
v. )  
 )  
NORFOLK SOUTHERN RAILWAY )  
COMPANY, )  
Defendant. )  
\_\_\_\_\_ )

**REPORT OF MEDIATOR**

Instructions: This certificate shall be filed by the Mediator or by the Plaintiff, and served upon all parties, upon completion of the ADR process.

I hereby certify that the parties have held an Alternate Dispute Resolution session on September 28, 2015.

The ADR session was:

  X   Mediation Session  
\_\_\_\_ Early Neutral Evaluation  
\_\_\_\_ Session Settlement Officer  
\_\_\_\_ Other (Describe type of session).

The following individuals, parties, corporate representatives, and or claims professionals attended and were available to participate in the session, and the appropriate individuals possessed the requisite settlement authority:

  X   All individual parties and their counsel.  
  X   Designated corporate representatives.  
\_\_\_\_ Other (Describe).

The following individuals, parties, corporate representatives, and/or claims professionals failed to appear and/or failed to participate as ordered:

\_\_\_\_\_  
The outcome of the ADR session was:

\_\_\_\_ **The case has been completely settled.** Counsel will promptly notify the Court of settlement by the filing of a settlement agreement signed by the parties within ten (10) days of the filing

of this report.

\_\_\_\_\_ **The case has been partially resolved.** Counsel will file a joint stipulation regarding those claims which have been resolved within ten (10) days of the filing of this report. The report shall also contain a brief summary of the issues which remain for the Court to resolve.

X **The Parties have reached an impasse.**

I certify that the above is a true and accurate of the result of the ADR process and that all parties of record have received a copy of this report.

THIS the 28th day of September, 2015.

\_\_\_\_\_  
s/ W.O. Brazil, III  
W.O. Brazil, III, Bar No. 16568  
COGBURN & BRAZIL, P.A.  
Post Office Box 120  
Asheville, North Carolina 28802  
Telephone: (828) 255-5400  
Fax: (828) 258-8972  
E-mail: [bbrazil@cobralawfirm.com](mailto:bbrazil@cobralawfirm.com)

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that the undersigned has this date served the Report of Mediator in the above-entitled action upon all parties to this cause by using the CM/ECF system which will send such notification of such filing to the following:

Kerry R. McDonald  
[krmfelalaw@bellsouth.net](mailto:krmfelalaw@bellsouth.net)

John S. Buford  
[jbuford@brookspierce.com](mailto:jbuford@brookspierce.com)

Brian A. Buchanan  
[buchananbrian@bellsouth.net](mailto:buchananbrian@bellsouth.net)

THIS the 28th day of September, 2015.

\_\_\_\_\_  
s/ W.O. Brazil, III  
W.O. Brazil, III, Bar No. 16568  
COGBURN & BRAZIL, P.A.  
Post Office Box 120  
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